

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Carr et al.
App. No	: 10/564,125
Filed	: August 21, 2006
For	: PROCESS FOR PREPARING CONCENTRATED MILK PROTEIN INGREDIENT AND PROCESSED CHEESE MADE THEREFROM
Examiner	: Leslie A. Wong
Art Unit	: 1781
Conf No.	: 8879

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants appreciate the finding of the pending claims to be allowable. In the Reasons for Allowance accompanying the Notice of Allowance mailed October 7, 2010, the Examiner stated that certain features of Claim 1 were not taught nor fairly suggested by the prior art or any combination thereof. To the extent there is any implication that these are the only reasons for allowance, Applicants respectfully disagree.

Applicants assume that, pursuant to M.P.E.P. § 1302.14, the Examiner has stated some, but not all, of the reasons for allowance of the claims and that, as a result, the statement discussed above does not necessarily relate to or completely set out the reasons for allowance of each and every claim. Patentability is not premised on the uniqueness of any one element in the claims but rather is based on the combination of all recited features in each claim. Thus, it is the combination of features in each claim that is patentable, including the dependent claims, which recite additional elements distinguishing the art of record. Applicants respectfully submit that

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the claims include combinations of elements providing additional distinctions over the art of record.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 10, 2010

By: Law Bull

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